BUSINESS AND COMMERCE CODE

TITLE 5. REGULATION OF BUSINESSES AND SERVICES

SUBTITLE C. BUSINESS OPERATIONS

CHAPTER 116. FEES FOR CERTAIN PAYMENT METHODS

Sec. 116.0001. DEFINITIONS. In this chapter:

(1) "Payee" means an individual who resides in this state or a corporation, trust, partnership, association, or other private legal entity authorized to do business in this state that receives money as payment under an agreement.

(2) "Person" means an individual, corporation, trust, partnership, association, or other private legal entity.

Added by Acts 2021, 87th Leg., R.S., Ch. 230 (H.B. 876), Sec. 1, eff. September 1, 2021.

Sec. 116.0002. FEE FOR CERTAIN PAYMENTS BY PAPER CHECK PROHIBITED. (a) A person that makes a payment to a payee may not charge an additional fee to the payee because the payee elects to receive the payment by paper check instead of by an automated clearinghouse transaction or other electronic funds transfer.

(b) A provision in a contract permitting a person to charge or collect a fee from a payee in violation of Subsection (a) is void and unenforceable.

Added by Acts 2021, 87th Leg., R.S., Ch. 230 (H.B. 876), Sec. 1, eff. September 1, 2021.